



PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/624,467	
	Filing Date	July 23, 2003	
	First Named Inventor	BERRANG, Peter et al	
	Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	307	Attorney Docket Number	8006P22

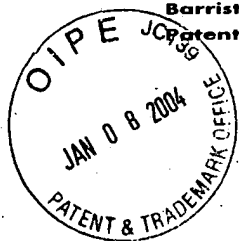
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Cover Letter Copies of prior art documents listed in the Information Disclosure Statement
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Paul Smith (Reg No. 35,777) Paul Smith Intellectual Property Law
Signature	<i>Paul Smith</i>
Date	Jan. 6, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name			
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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January 6, 2004

**Paul Smith, P.Eng., LL.B.**  
**C. Larry Kyle, B.Sc., LL.B.**  
**Dana L. Turner, B.Sc. (Met. Eng.), LL.B.**  
**Lawrence Chan, B.Sc., LL.B.**

**Christine Sharik, Trademark Agent**

Our File: 8006P22

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia  
22202

**VIA COURIER**

Dear Sir or Madam:

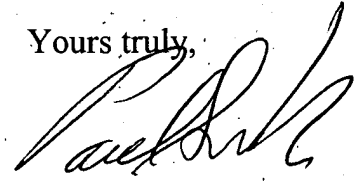
Re: United States Patent Application No. 10/624,467  
Title: TOTALLY IMPLANTABLE HEARING PROSTHESIS  
Inventors: BERRANG, Peter; MIRANDA, Terence; LUPIN, Alan;  
BOOTH, Ian  
Applicant: Epic Biosonics Inc.

Pursuant to 37 C.F.R. 1.97 ff, we file herewith the following:

1. Transmittal Form (PTO/SB/21) (1sheet).
2. Information Disclosure Statement by Applicant (PTO/SB/08A, PTO/SB/08B) (2 sheets).
3. Copies of the prior art patents and documents listed in the Information Disclosure Statement (302 pages).

As all requirements of 37 C.F.R. 1.97 ff, and all official guidelines pertaining to Information Disclosure Statements have been complied with, it is respectfully requested that the Examiner consider the references and make them of record.

Yours truly,

A handwritten signature in black ink, appearing to read 'Paul Smith', written in a cursive style.

Paul Smith  
Reg. No. 35,777

PS/DLT/kb/enclosures  
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PTO/SB/08A (08-03)

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 2

**Complete if Known**

Application Number	10/624,467
Filing Date	July 23, 2003
First Named Inventor	BERRANG, Peter et al
Art Unit	
Examiner Name	
Attorney Docket Number	8006P22

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 5,800,336	09-01-1998	Ball et al.	
		US- 5,360,388	11-01-1994	Spindel et al.	
		US- 5,277,694	01-11-1994	Leysieffer et al.	
		US- 5,772,575	06-30-1998	Lesinski et al.	
		US- 5,498,226	03-12-1996	Lenkauskas, Edmundas	
		US- 6,251,062	06-26-2001	Leysieffer, Hans	
		US- 6,358,281	03-19-2002	Berrang et al.	
		US- 2002/0019669	02-14-2002	Berrang et al.	
		US- 5,906,635	05-25-1999	Maniglia, Anthony J.	
		US- 6,272,382	08-07-2001	Faltys et al.	
		US- 6,308,101	10-23-2001	Faltys et al.	
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**FOREIGN PATENT DOCUMENTS**

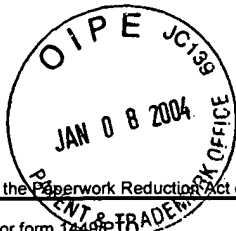
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		SE - WO 01/93635	06-12-2001	WESTERKULL		

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Art Unit	
Examiner Name	
Attorney Docket Number	8006P22

Sheet 2 of 2

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Bo HAKANSSON et al., "Ten Years of Experience With The Swedish Bone-Anchored Hearing System" Annals of Otology, Rhinology & Laryngology, October 1990, Vol. 99, No. 10, Part 2	
		Stefan STENFELDT, "Hearing by Bone Conduction Physical and Physiological Aspects, web printout from Chalmers University of Technology, 1999	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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